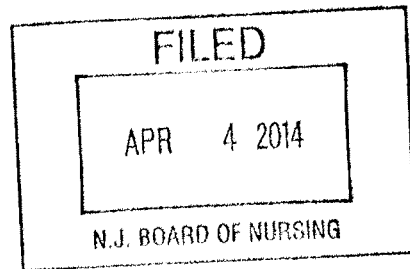


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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SURRENDER
OF THE CERTIFICATE OF

MARIA PENA, C.H.H.A.
CERTIFICATE NO.: 26NH10107900

TO PRACTICE AS A CERTIFIED
HOMEMAKER HOME HEALTH AIDE
IN THE STATE OF NEW JERSEY

:
: Administrative Action
:
: CONSENT ORDER OF VOLUNTARY
: SURRENDER OF CERTIFICATION
: TO PRACTICE AS A HOMEMAKER
: HOME HEALTH AIDE
:
:
:
:

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information indicating that Maria Pena, ("Respondent") the holder of Homemaker Home Health Aide Certificate 26NH10107900 in the State of New Jersey was arrested on September 12, 2013 by the Allendale Police for violation of N.J.S.A. 2C:20-3A, Theft of Moveable Property, and N.J.S.A. 2C:21-1A (2), Forgery. Specifically, Respondent was accused of stealing checks from the home of a client, writing on

the client's checks in amounts totaling \$17,000 and then having her niece deposit the checks in an account shared by Respondent and her father. Cash was removed from the account once the checks cleared. Respondent was also accused of making several online purchases using the client's credit card.

The Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Paterson, New Jersey, via regular and certified mail, on or about October 4, 2013 and the regular mailing was not returned. However, a change of address was recorded by the Division of Consumer Affairs on October 7, 2013, and the certified mail was returned as "Unclaimed, Unable to Forward." To date, Respondent has not provided a response to the Board's request for information.

The facts underlying Respondent's arrest, if proven, would demonstrate that Respondent engaged in the use of dishonesty, fraud, deception and misrepresentation, in violation of N.J.S.A. 45:1-21(b), has engaged in professional or occupational misconduct, in violation of N.J.S.A. 45:1-21(e) and has engaged in an act constituting a crime of moral turpitude which relates adversely to homemaker home health aide practice in violation of N.J.S.A. 45:1-21(f).

On February 10, 2014, pursuant to pretrial intervention, Respondent entered into an order of postponement which requires in part that she forfeit her certification to practice as a homemaker home-health aide.

It appearing that Respondent wishes to voluntarily enter into an agreement without making admissions; the Board finding that the public health, safety and welfare is adequately protected, and other good cause having been shown;

IT IS on this 4th day of April, 2014;

ORDERED THAT:

1. Respondent is hereby granted leave and shall immediately permanently surrender, forever, her certification to practice as a homemaker home health aide, to be deemed a revocation, forever, to practice as a homemaker home health aide in the State of New Jersey with prejudice. Respondent shall, contemporaneously with the signing of this Order, mail her certificate, wall and wallet version, to practice as a homemaker home health aide to Executive Director George Hebert, Board of Nursing, P.O. Box 45010, Newark, New Jersey, 07101.


2. Respondent shall immediately cease and desist from holding herself out as a certified homemaker home health aide and/or practicing as a homemaker home health aide. Any practice in this State shall constitute grounds for a charge of

unlicensed practice.

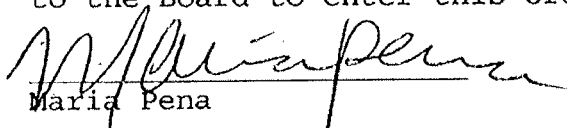
3. Nothing contained herein shall be deemed an admission of liability on the part of the Respondent, nor prejudice her ability to defend against the criminal charges.

4. Any violation of this order by Respondent shall constitute grounds for such proceedings as are permitted by law.

NEW JERSEY STATE BOARD OF NURSING

By: 
Patricia Murphy, PhD. APB
President

I have read and understood
the above Consent Order and I
agree to be bound by its terms.
I understand that this Consent Order
has serious legal consequences and have
decided to enter into this agreement
with the Board without the advice of
legal counsel. Consent is hereby given
to the Board to enter this Order.


Maria Pena